

1700 G Street NW,
Washington, DC 20552

January 17, 2020

Filed Via ECF

The Honorable Robert D. Mariani
U.S. District Court, Middle District of Pennsylvania
William J. Nealon Federal Bldg. & U.S. Courthouse
235 N. Washington Avenue
Scranton, PA 18503



Re: *CFPB v. Navient Corp., et al.*, Case No. 3:17-CV-00101-RDM

Dear Judge Mariani:

I write on behalf of the Bureau concerning the motion *in limine* that the Bureau filed on Friday, January 10, 2019. *See* Doc. 391 (motion and proposed order); Doc. 392 (brief and exhibit A); Doc. 396 (exhibits B-D).

In the brief supporting the motion, the Bureau quoted from the transcript of a consumer deposition. *See* Doc. 392, at 5. On Monday, January 13, 2019, six months after the deposition, Navient appears to have contacted the court reporting firm it had hired for the deposition and obtained a correction of two words that the Bureau quoted in its brief. The Bureau's brief included the following quote as part of a larger excerpt from the deposition transcript:

MR. LYONS [Navient lawyer]: **We have** a standing objection to any questions coming outside of the relevant discovery period[]

Following the recently obtained correction from the court reporting firm, the quote now is:

MR. LYONS [Navient lawyer]: **The CFPB has** a standing objection to any questions coming outside of the relevant discovery period[]

See Exhibit A (correspondence from the court reporting firm to the Bureau, without attachments and with consumer name redacted).

The correction is immaterial to the point for which the Bureau quoted the deposition in greater length: "The parties also acted consistent with the Court's order regarding the relevant time period in other ways." Doc. 392, at 5. That point still stands, and the entire excerpt quoted by the Bureau, including the correction above, strongly supports it. *See* Doc. 392, at 5.

While the correction of two words in the quote do not change the Bureau's substantive argument, the Bureau wanted to bring the correction to your attention in the interest of ensuring that the record before you is as accurate as possible.

Respectfully submitted,
/s/ Nick Jabbour